

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION, et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,
et al.,

Defendants.

Civil Action No. 05-CV-1004

EXHIBIT M



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 29, 2005

**PROPOSED DRAFT: PRIVILEGED: ATTORNEY-CLIENT/WORK PRODUCT
VIA FAX AND FIRST CLASS MAIL**

Fax: (212) 452-1868

Ms. Ann Beeson

Mr. Ben Wizner

American Civil Liberties Union Foundation

125 Broad Street

New York, N.Y. 10004

FOIPA Request No.: 1010249

Dear Ms. Beeson and Mr. Wizner:

This is in further response to your December 2, 2004 Freedom of Information Act ("FOIA") request through which you seek "disclosure of any record(s), document(s), file(s), communications, memorandum(a), order(s), agreement(s) and/or instruction(s), created from January 1, 2000 to the present, about" inter alia, the creation, general purpose, mission, policies, procedures, funding, and participants involved in the National Joint Terrorism Task Force ("NJTTF") and the state and local Joint Terrorism Task Forces ("JTTFs").

After reviewing your 40-part FOIA request, we have engaged in search efforts designed to identify potentially responsive documents at FBIHQ. As of this date, we have identified a minimum of 12,000 pages of potentially responsive records. As we continue our search efforts, it is possible that additional potentially responsive records will be identified.

In accordance with the Electronic Freedom of Information Act Amendments of 1996 (E-FOIA) and to ensure fairness to all requesters and to equitably administer the deluge of FOIA/Privacy Act requests received by the FBI, a request is assigned based on the date of receipt on a "first in/first out" basis from within each of three queues according to sound administrative practices. The placement of a request in one of the three queues depends on the total amount of material responsive to that request -- 500 pages or less ("small queue"), 501 to 2,500 pages ("medium queue"), or more than 2,500 pages ("large queue"). This standard operating procedure, coupled with the FBI's "first in/first out" policy, permits requests to be addressed in the order in which they are received, while obviating the inequities to other requesters whose interests relate only to a small number of documents. Once the documents have been scoped and scanned into our FOIPA Document Processing System ("FDPS"), your request will be placed within the FBI's large queue, and it will be assigned for FOIA processing based on the date it was received.

Requesters whose requests have been placed in the large queue are given the opportunity, through contact with the FBI's Service Request Unit's Negotiation Team, to reduce the scope of their requests. Bear in mind that reducing your request to 2,500 pages or less would have the benefit of expediting the assignment of this request. You may discuss reformulating this request by either telephoning my representative, Mrs. Gloria Ralph-McKissic, at (202) 220-1122, between 9:00 a.m. and 5:00 p.m. (EST), Monday through Friday; or you may respond in writing. Alternatively, you may respond, via facsimile, your response to (202) 324-3752. Please include FOIPA number 1010249 in any written communication that you may submit.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. Hardy", is located below the "Sincerely yours," text.

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division